

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION**

**UNITED STATES OF AMERICA)
)
v.)
)
TODD STEWART WILLIAMS)**

Case No. 1:24CR00028

GOVERNMENT'S SENTENCING MEMORANDUM

For years, Todd Stewart Williams served as the Vice Chairman of the Smyth County School Board, worked for the local school basketball team, and held himself out as father-figure to young boys in his community. But he played another role, too: child predator. In that role, Williams produced volumes of pornographic images of young boys that Williams befriended online and in-person. As more fully explained below, the government recommends that the Court sentence Williams to thirty years in prison followed by a lifetime of federal supervision.

Background

In September of 2022, a young boy contacted the FBI's office in Oklahoma City to make a report. The boy explained that a man had befriended the boy on Snapchat and convinced him to take explicit photos and videos of himself and send them to the man in exchange for money. The FBI's investigation eventually revealed that Todd Williams had sent the boy more than \$2,100 in less than six months and exchanged numerous sexual messages with the boy.

As the FBI continued its investigation, it became clear that the boy was not Williams's only victim. Unfortunately, it's likely that no one will ever know exactly how many children Williams victimized. He used Snapchat, Signal, and Telegram to do much of what he did, and those applications are designed so that messages and images can be set to disappear or "self-destruct" shortly after they're received. Child pornographers favor such applications because they make it far more difficult—and often impossible—for law enforcement to detect crime and fully illuminate it. For instance, Telegram, which was founded by Russian nationals to provide a messaging platform that could not be accessed by national security agencies, has its headquarters in Tortola and simply ignores legal process from the United States.

Despite the investigative difficulties, the FBI was able to positively identify six victims, JV1, JV2, JV3, JV4, JV5, and JV6, all of whom appear in the Indictment. Further investigation identified at least five more victims, plus others who still remain unidentified. Generally speaking, Williams maintained a consistent *m.o.*—find a young boy on Snapchat, befriend the boy, find out what he liked, offer to give the boy money, and solicit pornographic photos and videos from the boy.

Though there is no definitive evidence that Williams had sexual contact with any of his victims, there *is* definitive evidence that Williams solicited sexual abuse and paid for its commission and recording. JV3 and JV4 were stepbrothers who lived together with JV3's biological mother. Williams paid JV3, who was roughly

five years his brother's senior, to take photos of JV3 sexually abusing JV4. JV4 was just eight years old when that abuse started. In a 2024 interview, JV4 explained that JV3 would approach him two or three times a week, at night, in his bedroom, and show pornography to JV4. JV3 masturbated, made JV4 fellate JV3 and lick JV3's anus, and took photographs and videos of the abuse. The FBI determined that, between November 2022 and January 2024, JV3 sent Williams 112 pornographic photos and 147 pornographic videos showing JV3, JV4, or both. In May of 2023, JV3 sent Williams several explicit images, and this exchange followed:

JV3	Did you see them
WILLIAMS	Yes do you have any more? Or some of you and your brother together
JV3	[Sent a video of JV4 and JV3 that lasted less than one second. In the video, JV4 is lying on JV4's back. JV4 is nude from the waist down and wearing a black sweatshirt. JV3 is nude and kneeling over JV4. JV4 is stroking JV3's erect penis with JV4's hand.] [Sent an image of JV4 holding the erect penis of JV3.]
WILLIAMS	More of these does he cum yet
JV3	Can you send that card info so I can get cash in the morning to make it to school

ECF No. 3-1 at 52. Williams then sent JV3 an account number, expiration date, and security code for a prepaid cash card. At one point, Williams mailed JV3 a debit card hidden inside a box of new shoes, and he told JV3 how to lie to his mother

about the new shoes. *See id.* at 57–60. Between November 2022 and May 2023, Williams sent JV3 more than \$3,600 spread across thirty-nine payments ranging from \$50 to \$200. Williams encouraged and paid for photos and videos of similar sexual acts between JV5 and JV6, who were in a romantic relationship with one another. Between November 2022 and January 2024, JV5 sent Williams 366 pornographic images and 157 pornographic videos showing JV5 or both JV5 and JV6. And Williams sent JV5 at least \$3,339 spread across ninety-nine payments.

While Williams was doing these things behind closed doors and encrypted apps, he was publicly holding himself out as a man who *cared* about young people. He worked in the local schools and on the county school board. He befriended young men and purported to mentor them. He chaperoned overnight trips for student athletes. But even then, he was using those young boys to satisfy his abominable sexual urges. He once set up a hidden camera to record a young boy using the bathroom on an overnight basketball trip. He used his position of trust with the school basketball team to spend time in the locker room surreptitiously recording half-clothed boys. When one local boy was living with Williams, he often fabricated reasons to go into the bathroom where the boy was showering.

These are the things we know.

In *The Kite Runner*, Khaled Hosseini wrote:

I became what I am today at the age of twelve, on a frigid overcast day in the winter of 1975. I remember the precise moment, crouching behind a crumbling mud wall, peeking into the alley near the frozen creek. That was a long time ago, but it's wrong what they say about the past, I've learned, about how you can bury it. Because the past claws its way out. Looking back now, I realize I have been peeking into that deserted alley for the last twenty-six years.

Years from now, when Williams's victims are grown men, he will claw his way back to them. When the shower turns on, or at the shoe store, or in the quiet of a night while others sleep in peace.

Discussion

When sentencing Williams, the Court must consider the need for the sentence imposed to reflect the seriousness of the offense, promote respect for the law, provide just punishment for the offense, afford adequate deterrence to criminal conduct, and protect the public from further crimes of the defendant. 18 U.S.C. § 3553(a). In addition, the Court must consider the nature and circumstances of the offense and Williams's history and characteristics.

Those sentencing factors show that a thirty-year sentence is wholly appropriate. First, there should be no question that Williams's offense is extremely serious. He preyed upon and victimized young boys—children—and he enticed them into sending him sexually explicit photographs and videos. Williams did this many, many times, and the seriousness of what he did cannot be overstated. *Cf.*

United States v. Marshall, 736 F.3d 492, 505 (6th Cir. 2013) (“The gravity of offenses dealing with child pornography cannot be overestimated.”).

Second, a 360-month sentence would provide just punishment. The young boys that Williams victimized will likely grapple with the consequences of Williams’s conduct for the rest of their lives. *Id.* (“This court and others have documented well the devastating and long-lasting effects that the creation and dissemination of child pornography have on its victims, inflicting emotional, physical, and psychological damage, sometimes permanently.”); *see also New York v. Ferber*, 458 U.S. 747, 760 n.10 (1982) (“[P]ornography poses an even greater threat to the child victim than does sexual abuse or prostitution. Because the child’s actions are reduced to a recording, the pornography may haunt him in future years, long after the original misdeed took place. A child who has posed for a camera must go through life knowing that the recording is circulating within the mass distribution system for child pornography.”) (quoting David P. Shouvlis, *Preventing the Sexual Exploitation of Children: A Model Act*, 17 Wake Forest L. Rev. 535, 545 (1981)).¹ Williams’s victims will never be the same, and a just punishment requires that Williams likewise face the consequences of his actions for the rest of his life.

¹ The FBI’s investigation revealed that Williams distributed child pornography. At sentencing, the government will present testimony on that issue.

Third, the public should be protected from further crimes by Williams. During the relatively short time he was using Snapchat to solicit child pornography, he collected numerous images, disbursed thousands of dollars, and encouraged sexual abuse. He videotaped boys without their knowledge and peeped on at last one boy while the boy bathed. Williams's sentence should prevent any of that from happening again.

Fourth, Williams's history and characteristics weigh in favor of a 360-month sentence. He held a position of trust in the community, and he used his position to victimize boys. Attached to this memorandum is a cosigned letter from the Chair of the Smyth County School Board and the Division Superintendent of Smyth County Public Schools. That letter explains, among other things, that Williams's crimes "led to a significant and deeply felt erosion of trust within [the Smyth County] community and among the very students and families he was elected to serve." Exhibit A. Williams's work for the school system and his role in the community does not mitigate his crimes, but magnifies them.

Finally, a 360-month sentence would provide a deterrent effect. There is a compelling need to deter Williams and other like-minded individuals from engaging in this sort of conduct, and a thirty-year sentence would appropriately address that need.

Sentencing Witnesses

The Government intends to present testimony from FBI Special Agent Lindsey Rosson at Williams's sentencing hearing. In addition, the government respectfully reserves the right to present statements from victims and the relatives of victims.

Supervised Release

The government recommends that the Court impose supervised release for life, which would be consistent with the Sentencing Guidelines. ECF No. 57 ¶ 117.

Conclusion

The government asks that Williams be sentenced to prison for thirty years, followed by a lifetime of supervised release.

Respectfully submitted,

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